

111TH CONGRESS
1ST SESSION

H. R. 834

To amend chapter 44 of title 18, United States Code, to exempt certain peace officers from certain minimum sentencing requirements for using a firearm to commit a crime of violence during or in relation to their employment.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2009

Mr. POE of Texas introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend chapter 44 of title 18, United States Code, to exempt certain peace officers from certain minimum sentencing requirements for using a firearm to commit a crime of violence during or in relation to their employment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ramos and Compean
5 Justice Act of 2009”.

1 **SEC. 2. EXEMPTION FROM CERTAIN MINIMUM SENTENCING**
2 **REQUIREMENTS FOR CERTAIN PEACE OFFI-**
3 **CERS WHO USE A FIREARM TO COMMIT A**
4 **CRIME OF VIOLENCE DURING OR IN RELA-**
5 **TION TO THEIR EMPLOYMENT.**

6 Section 924(c) of title 18, United States Code, is
7 amended by adding at the end the following:

8 “(6)(A) The minimum sentencing requirements
9 in this subsection shall not apply to a person who
10 used, carried, or possessed a firearm if—

11 “(i) the offense under this subsection oc-
12 curred during or in relation to the performance
13 of the duties of the person as a peace officer;

14 “(ii) the firearm is of the same type as the
15 firearm authorized to be carried by the person
16 in the performance of those duties; and

17 “(iii) the crime during and in relation to
18 which the offense under this subsection oc-
19 curred is a crime of violence.

20 “(B) In subparagraph (A), the term ‘peace offi-
21 cer’ means an officer or employee of the Federal
22 Government, or of a State or local government, who
23 is authorized by law to carry a firearm in the lawful
24 performance of his or her duties as such an officer
25 or employee.”.